

LIVE POLITICAL TOPICS.

The House Goes into a Committee of the Whole and Discusses Rules.

The Senators, Tired of Idleness, Are Discussing Rules for the Future.

There is No Change in the Actual Situation.—Mr. Wallace Remembers by His Colleagues.

Little was done by the house of representatives yesterday. At the morning session after the routine of opening, on motion of Mr. Hogan, the house resolved itself into a committee of the whole for the further consideration of the report of the committee on rules. At the request of the speaker, Mr. Toole took the chair. A session of two hours followed, when the committee arose and the house resumed with the speaker in the chair. Chairman Toole recommended the adoption of the rules as amended, and asked for further time to make a report. On motion of Mr. Frank, the resolution of Mr. Conly, relating to the Silver Bow matter, was made a special order for 10 a. m. today. On motion of Mr. Whaley the house then adjourned until that hour. The consideration of the rules is practically finished, and it is probable that the report of the committee will be adopted to-morrow immediately after the discussion of the special order.

Mr. Wallace was well remembered by his friends in the house of representatives. Besides the courtesy of an adjournment yesterday morning he received a beautiful present of solid silver ware from the sellers of the store, reflects credit on Messrs. Frank and Toole, who made the selection. It consisted of forty-one pieces of table silver, handsomely engraved. These were encased in an antique satin-lined oaken cabinet, with brass mountings. This was accompanied by a set of individual cards with the names of the donors. On a label was the inscription "To William Wallace, Jr., and wife, with the best wishes of the first legislature of Montana." Mr. Wallace's services in the house thus far indicate that he will become one of the best working representatives and a leader of the younger men upon the floor.

Mr. Beach has earned the reputation of being a stickler for dignity and decorum in the house. Yesterday he introduced the following amendment to the rules, "There shall be no smoking allowed upon the floor or in the galleries of the house after it has been called to order by the presiding officer of the session." The amendment was adopted almost unanimously. The only representative offering any serious opposition was Mr. Hollywood. He thought that the amendment tender toward an unfortunate centralization. He was pained to see such a narrow-minded disposition on the part of the democracy. He wondered if the next step would look like the coming of the abolition of the representation. While the deprivation will be felt by the representatives they recognized the propriety of the amendment. Mr. Beach doubtless thought that in the absence of a senate the dignity of that honorable body should be transferred to the house. It may be added that Mr. Beach never uses tobacco in any form.

The republican senators met, as usual, yesterday morning, at 10 o'clock. After the roll call and reading of minutes some little business was transacted, though no quorum was present and no organization was attempted. The feeling that their spiritual interests had been neglected prompted them to choose a chaplain. This honor fell to Mr. Bissell of the Christian church. Senator Babcock, who had been officiating as clerk, was relieved by Frederick Gilbert, of Missoula, who was chosen temporary chief clerk. Mr. Gilbert was assistant clerk of the last council. The senators adjourned until 2:30 p. m. At that hour no quorum being present, a further adjournment was taken until 10 a. m. to-day. The senators crooked out in a speech by Senator Hedges at the morning session. In anticipation of the full organization of the legislative assembly he thought that the senators might do some work in an informal way. He proposed a consideration of rules during the recess, remarking that the practical application upon the rules that would govern the body was organized. He said that by doing this work the senators would gain public approbation. This course was approved by other members present. During the forenoon the matter of rules was considered, especially those of the California senate. No conclusions were reached and the discussion was postponed.

General Charles S. Warren came over from Butte yesterday to view the political situation. The general, who is a newspaper man's ears claims the distinction of being the strongest republican in the United States. Concerning the scheme to seat old Uncle Watson, the general paused to remark, "Why don't our fellows go to work and get all the republican candidates who were defeated in October. They have as good titles to their seats as Watson. Then we would have our own way in that senate."

THE RUMP MEETING. Yesterday afternoon, just before 2 o'clock, the rumpers tramped up stairs to their new quarters in the Granite block and waited for Witter to call them together, which he did promptly at 2. There was a quiet present. Chaplain Webb was a little late and made a short prayer, praying for wisdom and direction in all things.

Eaton of the mileage committee, presented a report showing the number of miles to which each rump is entitled. The members of the Lewis and Clarke delegation, who live in Helena, received no mileage. Then the formality of adopting the report and discharging the committee was gone through with.

Thompson, chairman of the committee of the whole, reported to the house the action of the committee on the rules and regulations for the government of the rump. The report was referred to a committee of three, consisting of the rumpers. As soon as they adjourned the doors were closed and every one sent outside, except the members; even the little page was not allowed to remain. It was announced that there would be a can-can for thirty minutes. The sergeant-at-arms was posted at the head of the stairs immediately in front of the main door, while the janitor was stationed down stairs. Edward Lockey, speaker of the House of Lords, came along pretty soon, but couldn't run the barricade. Well known and trusty republicans came too, but were denied admittance. To all who tried to get in the statement was made that there was a secret session going on. In fact, four or five doors were opened and a few persons went up stairs. The rumpers were all there, the main door full of tobacco smoke, and the members as always mounted on chairs. The rumpers were in a few moments herded together again in the large committee room in the front of the building in secret conclave. The doors of the committee room were closed immediately. The faithful sergeant-at-arms was on guard outside. It was after 5 o'clock last evening before the rumpers were tired and left the room. A good deal was said in caucus but there does not seem to have been anything definite accomplished.

OUR MINERAL LANDS.

The Points Made by Wade, Toole & Wallace in a Recent Case.

We give below the argument of Messrs. Wade, Toole & Wallace upon the question of preserving our mineral lands, which is of great importance to the people of this state and will serve to direct future legislation upon the subject. The case was that of *Fant vs. Tandy*:

There are other considerations necessarily entering into this question, of the gravest importance and fraught with the most serious consequences on account of the disposition which has been made of this case under the state of facts presented by the record.

So far we shall assume that the respondent is in claim in good faith as a grantee of the Northern Pacific Railroad company in this controversy over a few acres of land located by appellant as a mining claim, the decision will, nevertheless, become a precedent in this territory, by which the rights of that company to these mineral lands will hereafter be adjusted. A most important invention of the law must therefore demand, that equal and exact justice may be done. A manifest grant has been made to this railroad extending forty miles on each side of its track, and comprising every alternate section of the public domain throughout its entire length. Traversing as it does the vast mineral regions of Montana, Idaho, Washington and Dakota for a distance of nearly 1,000 miles and miles, the entire investigation of the original title in granting, reserving and otherwise disposing of these lands is one of the deepest concern on account of the character and magnitude of the rights and interests involved. Under the constitution, the congress of the United States is constituted the sole agent of the people in preserving this portion of their heritage as American citizens. Hence in making a grant a grant where rights are divested, the same could pass by implication, except that which is intrinsically essential to its enjoyment, while its reservations should be liberally interpreted in favor of those in whose behalf they are made. In the construction of a statute, the intention of the legislature, like the intention of the parties to an instrument of writing, is the ultimate object to be realized by the construction. If it is impossible, if not universally so, to determine, that the grantee is the telephone, the result being the same as at Marks' place. The box was burned out and the flame quickly snatched up the window curtains. Mrs. Curtin not being well posted on the effects of electricity, but knowing that a shock from the wire would create much damage, they were afraid to interfere, and on the early arrival of a man from the electric light company, reported the damage. The result is that the telephone company has lost one patron, as Mrs. Curtin will have nothing more to do with the telephone until such danger as was experienced Tuesday night can be averted.

At the central telephone exchange the young lady operator received quite a scare and shock. Five wires were burned out and it was believed that the entire switch board was destroyed. Probably when some one loses their life some attention will be paid to the necessity of placing those wires underground.

If you want to skape go to The Bee Hive and buy a pair of skates.

100 feet in Central or Lockey addition, suitable for a resident location. Apply to C. A. Griswold's office, 1321 Helena avenue, near N. P. depot.

PERSONAL.

Marshal George W. Irvin II., has returned from Butte.

Agent Lewis of the Union Pacific at Butte is in the city.

Judge J. M. McIlvane, of Butte, is at the Cosmopolitan.

E. L. Bonner of Deer Lodge, is at the Grand Central.

Mrs. I. D. McCutcheon leaves to-day for Portland, Oregon.

Mrs. S. P. Davis, of Bozeman, is in the city visiting friends.

J. C. Curtin returned yesterday from a business trip to Pittsburgh.

Joe B. Grismer and wife and Clay M. Green and wife are guests of the Grand Central, just home from the St. Louis convention.

D. S. Frotheringham of St. Louis, S. W. Carter of Portland, and Joseph Ford of Augusta, are at the Grand Central.

Mrs. E. W. Beattie left for Rockford Ill., last night, via the Northern Pacific, upon a summons that her father-in-law had just died.

M. Jenkins and B. F. Miller, for Mason, Mo.; W. F. Lewis, Asheville, N. C., were passengers on the Northern Pacific last night.

S. M. Greer and J. J. Hickman, of Kentucky, and wife are guests of the Clay M. Green and wife are guests of the Grand Central.

The Rev. Sam Schwab returned from St. Louis yesterday, where he has been visiting for the past three months. He did not come via the Union Pacific but by the railroads north. Mrs. Curtin. There is a noticeable decline in Sainte's waistline proportions, but he expects to soon regain his usual confidence by boarding at the Cosmopolitan.

Having reserved all "mineral lands" and intending to reserve their dimensions and of them in such manner as would insure their development, in 1892 the decisions of their state of California were formulated into a law by Mr. Sargent, then a representative in congress from that state, and ultimately the act of 1872, under which the appellants application was made, became the established theory of the government in disposing of these lands.

It is true that additional requirements are made by which it must be shown that the claim contains "valuable mineral deposits" before the government will dispose of any of its mineral lands, so reserved, yet as against the railroad a deposit of any of the precious minerals, except iron and coal, deprives it of any such claim.

The Dr. Dumb Lumious, the Granite Mountain, and the J. F. Gorham, who he hidden in these mountain regions and the Alders, Confederates and Last Chance placers, that remain undiscovered in their immeasurable canyons, are not given away to this railroad, but are reserved to reward the service of miners and prospectors yet to come. No narrow, strained construction should be placed upon this act, but on the contrary, the rights of the miners should be subject to the exercise of such interpretations, and deprived of his possessions, however, forthsooth at some moment in its development it would not pay, at present price and under present conditions, the actual cost of extracting the precious minerals from it.

It will not be presumed that congress intended to limit the circulation of the rights of the miner in a mining country in the realization of his reasonable expectations, but on the contrary afford to him every reasonable doubt in the pursuit of so expensive and hazardous an occupation.

This comports more with the duty of government, is more in keeping with its legislation upon the subject, and should not be limited by judicial construction in the very letter of its rigid minuteness. The same used will admit of the interpretation we have given them; and measured by this rule the court of original jurisdiction should have an opportunity to apply the facts contained in this record which it has not yet done.

The decisions of the supreme court of the United States are uniform in declaring the result of a patent. It is conclusive of the mineral or non-mineral character of the

LANDS CONVEYED BY IT.

Hence it is of the utmost importance that the reservations contained in the grant be not extinguished by the sanctity thrown around a title from the government by patent. There is but one way to avoid this incorporation of the reservation in the patent so that it will always be left an open question.

Remembering in this connection that the vein of coal or non-mineral character of these lands is a question of fact, and that question is forever concluded by the patent, the importance of a clause which will leave it open as congress intended is clear to any legal mind. The question is, in the minds of the authorities that the patent is complete in the fact as to the mineral or non-mineral character of the land, we might feel called upon to cite and argue at length this question.

Something for the ladies. Chatelaine watches now worn in snake-skin wristlets. On sale only at J. Steinmetz Jewelry Company's.

A pair of diamond ear drops for \$25; a fine pair for \$20 and up at the J. Steinmetz Jewelry Company's.

Immense line of dolls, consisting of bisque, wax, kid body, washable, rag, wool, rubber, etc., just received at The Bee Hive.

ELECTRICITY ON A TARE.

It Plays Hayoe at Two Houses and in the Telephone Exchange.

REASONABLE REWARD WILL BE PAID FOR THE RETURN TO THE MOTOR CO.'S OFFICE OF A MOTORIST'S BELL PUNCH, WHICH WAS LOST A FEW DAYS AGO.

W. H. BAKER & CO.,

"THE FAIR."

THE GREAT

BANKRUPT SALE OF

WATCHES,

JEWELRY AND DIAMONDS

COMMENCED MONDAY, DECEMBER 23, AT POPE & O'CONNOR'S OLD STAND, NO. 23 SOUTH MAIN STREET, AND SALE WILL LAST UNTIL STOCK IS CLOSED OUT.

GIVE US A CALL AND SECURE THE BIG BARGAINS.

SALE EVERY DAY AT 2 TO 7 P. M.

GRAND OPENING!

THURSDAY, DECEMBER 5,

AT COOPER'S,

111 N. Main Street, Helena.

THE FINEST DISPLAY OF

DIAMONDS,

WATCHES AND JEWELRY

IN MONTANA.

SEE OUR \$2,000 DIAMOND NECKLACE

OUR ASSORTMENT OF HOLIDAY GOODS IS NOW COMPLETE AND CONSISTS OF THE MOST UNIQUE DESIGNS, CAREFULLY SELECTED FOR QUALITY AND WORKMANSHIP, WHICH IS THE VERY BEST.

C. A. COOPER, - PITTSBURG BLOCK.

(FORMERLY 5 UNION SQUARE, NEW YORK.)

HANDKERCHIEFS:

DIRECT IMPORTATIONS OF JAPANESE SILK HANDKERCHIEFS, EMBROIDERED INITIALS, FANCY BORDERS--CHOICE GOODS.

NECKWEAR.

200 DOZEN CHOICE CHRISTMAS TIES JUST RECEIVED, IN ALL THE NEW STYLES AND SHADES.

SUSPENDERS.

ELEGANT EMBROIDERED BROCADE SATINS AND FANCY SILKS FOR THE HOLIDAYS.

FURS.

OF ALL KINDS FOR BOTH LADIES AND GENTLEMEN. SELECT YOUR GOODS EARLY. WE WILL LAY THEM AWAY UNTIL CHRISTMAS.

CHILDREN'S TEA SETS IN GREAT VARIETY AT THE BEE HIVE.

A FULL LINE OF HAIR EMBLEMS IN THE LATEST NOVELTIES JUST RECEIVED AT THE BEE HIVE.

HOLIDAY EXCURSION RATES ON THE MONTANA CENTRAL RAILWAY.

THE MONTANA CENTRAL WILL SEND EXCURSION TICKETS BETWEEN ALL POINTS ON THEIR LINE AT ONE AND ONE-FIFTH FARE FOR THE ROUND TRIP. TICKETS ON SALE DEC. 24, 25 AND 31 ALSO JAN. 1, GOOD TO RETURN UNTIL JAN. 3.

B. H. LAROLEY, GEN. TICKET AGT.

TRY IT.

TRY OUR BEST PATENT FLOUR, THE BEST IN THE MARKET, AND WHITAKER STAR HAMPS, AT JOHN T. MURPHY & CO'S.

FOR BARGAINS IN CROCKERY, GLASSWARE AND LAMPS GO TO THE BEE HIVE.

McKEE RANKIN, SUPPORTED BY

JOHN MAGUIRE, MANAGER.

2 NIGHTS ONLY 2

MONDAY AND TUESDAY.

DEC. 9 AND 10.

SPECIAL ENGAGEMENT OF THE EMINENT AMERICAN ACTOR.

Buy your Christmas presents at The Bee Hive. They suit the young and old.

Christmas and New Year cards in all the latest novelties just opened at The Bee Hive.

DR. DUMBLE LUMIOUS, THE GRANITE MOUNTAIN, AND THE J. F. GORHAM, WHO HE HIDEN IN THESE MOUNTAIN REGIONS AND THE ALDERS, CONFEDERATES AND LAST CHANCE PLACERS, THAT REMAIN UNDISCOVERED IN THEIR IMMEASURABLE CANYONS, ARE NOT GIVEN AWAY TO THIS RAILROAD, BUT ARE RESERVED TO REWARD THE SERVICE OF MINERS AND PROSPECTORS YET TO COME. NO NARROW, STRAINED CONSTRUCTION SHOULD BE PLACED UPON THIS ACT, BUT ON THE CONTRARY, THE RIGHTS OF THE MINER SHOULD BE SUBJECT TO THE EXERCISE OF SUCH INTERPRETATIONS, AND DEPRIVED OF HIS POSSESSIONS, HOWEVER, FORTHSOOTH AT SOME MOMENT IN ITS DEVELOPMENT IT WOULD NOT PAY, AT PRESENT PRICE AND UNDER PRESENT CONDITIONS, THE ACTUAL COST OF EXTRACTING THE PRECIOUS MINERALS FROM IT.

IT WILL NOT BE PRESUMED THAT CONGRESS INTENDED TO LIMIT THE CIRCULATION OF THE RIGHTS OF THE MINER IN A MINING COUNTRY IN THE REALIZATION OF HIS REASONABLE EXPECTATIONS, BUT ON THE CONTRARY AFFORD TO HIM EVERY REASONABLE DOUBT IN THE PURSUIT OF SO EXPENSIVE AND HAZARDOUS AN OCCUPATION.

THIS COMPORTS MORE WITH THE DUTY OF GOVERNMENT, IS MORE IN KEEPING WITH ITS LEGISLATION UPON THE SUBJECT, AND SHOULD NOT BE LIMITED BY JUDICIAL CONSTRUCTION IN THE VERY LETTER OF ITS RIGID MINUTENESS.

THE SAME USED WILL ADMIT OF THE INTERPRETATION WE HAVE GIVEN THEM; AND MEASURED BY THIS RULE THE COURT OF ORIGINAL JURISDICTION SHOULD HAVE AN OPPORTUNITY TO APPLY THE FACTS CONTAINED IN THIS RECORD WHICH IT HAS NOT YET DONE.

THE DECISIONS OF THE SUPREME COURT OF THE UNITED STATES ARE UNIFORM IN DECLARING THE RESULT OF A PATENT. IT IS CONCLUSIVE OF THE MINERAL OR NON-MINERAL CHARACTER OF THE